

Illinois Administrative Code  
TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

PART 101: NATION-WIDE MARINE DEFINITION OF THE NATIONAL ASSOCIATION OF INSURANCE  
COMMISSIONERS

PART 101

Section

101.10 Purpose

101.20 Restrictions

101.30 Marine and/or Transportation Policies

101.40 Coverage not Permitted

AUTHORITY: Implementing Section 4, Class 3 and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1983, ch. 73, pars 616 and 1013).

SOURCE: Filed July 11, 1958; codified at 7 Ill. Reg. 3457; amended at 8 Ill. Reg. 12222, effective July 13, 1984.

**101.10 Purpose**

The purpose of this Part is to describe the kinds of risks and coverages which may be classified or identified under State Insurance laws as Marine, Inland Marine or Transportation insurance, but does not include all of the kinds of risks and coverages which may be written, classified or identified under Marine, Inland Marine or Transportation insuring powers, nor shall it be construed to mean that the kinds of risks and coverages are solely marine, Inland Marine or Transportation insurance in all instances.

**101.20 Restrictions**

This Part shall not be construed to restrict or limit in any way the exercise of any insuring powers granted under charters and license whether used separately, in combination or otherwise.

**101.30 Marine and/or Transportation Policies**

Marine and/or Transportation policies may cover the following risks and coverages:

a) Imports

- 1) Imports on consignment may be covered wherever the property may be and without restriction as to time, provided the coverage of the issuing companies includes hazards of transportation.
- 2) An Import, as a proper subject of marine or transportation insurance, shall be deemed to maintain its character as such so long as the property remains segregated in such a way that it can be identified and has not become incorporated and mixed with the general mass of property in the United States, and shall be deemed to have been completed when such property has been:

A) sold and delivered by the importer, factor or consignee; or

B) removed from place of storage and placed on sale as part of importer's stock in trade at a point of sale-distribution; or

C) delivered for manufacture, processing or change in form to premises of the importer or premises of any other which are used for any such purpose.

b) Exports

- 1) Exports may be covered wherever the property may be without restriction as to time, provided the coverage of the issuing companies includes hazards of transportation.
- 2) An export, as a proper subject of marine or transportation insurance, shall be deemed to acquire its character as such when labeled or identified or while being prepared for export and retain that character unless diverted for domestic trade, and when so diverted, the provisions of this Part concerning domestic shipments shall apply, provided, however, that this provision shall not apply to long established methods of insuring certain commodities, e.g., cotton.

c) Domestic Shipments

- 1) Domestic shipments on consignment, provided that the coverage of the issuing companies includes hazards of transportation;

- A) for sale or distribution; and
- B) for exhibit, or trial, or approval or auction, while in transit, while in the custody of others and while being returned; provided that in no event shall the policy cover the property on premises owned, leased or operated by the consignor.

2) Domestic shipments not on consignment, provided the coverage of the issuing companies includes hazards of transportation, beginning and ending within the United States, provided that such shipments shall not be covered at manufacturing premises nor after arrival at premises owned, leased or operated by Assured or purchaser.

d) Bridges, tunnels and other similar instrumentalities of transportation and communication including auxiliary facilities and equipment attendant thereto but excluding buildings, their improvements and betterments, furniture and furnishings, fixed contents and supplies held in storage. The foregoing includes:

- 1) Piers, wharves, docks, slips, dry docks and marine railways.
- 2) Pipelines, including on-line propulsion, regulating and other equipment appurtenant to such pipelines, but excluding all property at manufacturing, producing, refining, converting, treating or conditioning plants.
- 3) Power transmission and telephone and telegraph lines, excluding all property at generating, converting or transforming stations, sub-stations and exchanges.
- 4) Radio and television communication equipment in use as such including towers and antennae with auxiliary equipment, and appurtenant electrical operating and control apparatus.
- 5) Outdoor cranes, loading bridges and similar equipment used to load, unload and transport.

e) Personal Property Floater Risks covering individuals and/or generally, which include the following:

- 1) Personal Effects Floater Policies.
- 2) The Personal Property Floater.
- 3) Government Service Floaters.
- 4) Personal Fur Floaters.
- 5) Personal Jewelry Floaters.
- 6) Wedding Present Floaters for not exceeding 90 (ninety) days after the day of the wedding.
- 7) Silverware Floaters.
- 8) Fine Arts Floaters covering paintings, etchings, pictures, tapestries, art glass windows, and other bonafide works of art of rarity, historical value or artistic merit.
- 9) Stamp and Coin Floaters.
- 10) Musical Instrument Floaters. Radios, televisions, record players and combinations thereof are not deemed musical instruments.
- 11) Mobile Articles, Machinery and Equipment Floaters (excluding motor vehicles designed for highway use and auto homes, trailers and semi-trailers when hauled by tractors not designed for highway use) covering identified property of a mobile or floating nature pertaining to or usual to a household. Such policies shall not cover furniture and fixtures not customarily used away from premises where such property is usually kept.
- 12) Installment Sales and Leased Property Policies covering property pertaining to a household and sold under conditional contract of sale, partial payment contract or installment sales contract or leased, but excluding motor vehicles designed for highway use. Such policies must cover in transit but shall not extend beyond the termination of the seller's or lessor's interest.
- 13) Live Animal Floaters.

f) Commercial Property Floater Risks covering property pertaining to a business, profession or occupation including the following:

- 1) Radium Floaters.
- 2) Physicians' and Surgeons' Instrument Floaters. Such policies may include coverage of such furniture, fixtures and tenant Assured's interest in such improvements and betterments of buildings as are located in that portion of the premises occupied by the Assured in the practice of his profession.
- 3) Pattern and Die Floaters.
- 4) Theatrical Floaters, excluding buildings and their improvements and betterments, and furniture and fixtures that do not travel about with theatrical troupes.
- 5) Film Floaters, including builders' risk during the production and coverage on completed negatives and positives and sound records.
- 6) Salesmen's Samples Floaters.
- 7) Exhibition Policies on property while on exhibition and in transit to or from such exhibitions.

8) Live Animal Floaters.  
9)

A) Builder's Risks and/or Installation Risks covering interest of owner, seller or contractor, against lost or damage to machinery, equipment, building materials or supplies, being used with the during the course of installation, testing, building, renovating or repairing. Such policies may cover at points or places where work is being performed, while in transit and during temporary storage or deposit, of property designated for and awaiting specific installation, building, renovating or repairing.

B) Such coverage shall be limited to Builder's Risks or Installation Risks where Perils in addition to Fire and Extended Coverage are to be insured.

C) If written for account of owner, the coverage shall cease upon completion and acceptance thereof; or if written for account of a seller or contractor the coverage shall terminate when the interest of the seller or contractor ceases.

10) Mobile Articles, Machinery and Equipment Floaters (excluding motor vehicles designed for highway use and auto homes, trailers and semi-trailers except when hauled by tractors not designed for highway use and snow plows constructed exclusively for highway use), covering identified property of a mobile or floating nature, not on sale or consignment, or in course of manufacture, which has come into custody or control of parties who intend to use such property for the purpose for which it was manufactured or created. Such policies shall not cover furniture and fixtures not customarily used away from premises where such property is usually kept.

11) Property in transit to or from and in the custody of bailees (not owned, controlled or operated by the bailor). Such policies shall not cover bailee's property at his premises.

12) Installment Sales and Leased Property. Policies covering property sold under conditional contract of sale, partial payment contract, installment sales contract, or leased but excluding motor vehicles designed for highway use. Such policies must cover in transit but shall not extend beyond the termination of the seller's or lessor's interest. This section is not intended to include machinery and equipment under certain "lease-back" contracts where the original lessee leases back to the original lessor.

13) Garment Contractors Floaters.

14) Furriers or Fur Storer's Customer's Policies (i.e., policies under which certificates or receipts are issued by furriers or fur storers) covering specified articles the property of customers.

15) Accounts Recivable Policies, Valuable Papers and Records Policies.

16) Floor Plan Policies

A) Covering property for sale while in possession of dealers under a Floor Plan or any similar plan under which the dealer borrows money from a bank or lending institution with which to pay the manufacturer, provided:

- i) Such merchandise is specifically identifiable as encumbered to the bank or leading institution.
- ii) The dealer's right to sell or otherwise dispose of such merchandise is conditioned upon its being released from encumbrance by the bank or lending institution.
- iii) That such policies cover in transit and do not extend beyond the termination of the dealer's interest.

B) Provided that such policies shall not cover automobiles or motor vehicles; merchandise for which the dealer's collateral is the stock or inventory as distinguished from merchandise specifically identifiable as encumbered to the lending institution.

17) Sign and Street Clock Policies, including neon signs, automatic or mechanical signs, street clocks, while in use as such.

18) Fine Arts Policies covering paintings, etchings, pictures, tapestries, art glass windows, and other bonafide works of art of rarity, historical value or artistic merit, for account of museum, galleries, universities, businesses, municipalities and other similar interests.

19) Policies covering personal property

A) when sold to the ultimate purchaser, may be covered specifically, by the owner, under Inland Marine Policies including:

- i) Musical Instrument Dealers Policies, covering property consisting principally of musical instruments and their accessories. Radios, televisions, record players and combinations thereof are not deemed musical instruments.
- ii) Camera Dealers Policies, covering property consisting principally of cameras and their accessories.
- iii) Furrier's Dealers Policies, covering property consisting principally of furs and fur garments.

- iv) Equipment Dealers Policies, covering mobile equipment consisting of binders, reapers, tractors, harvesters, harrows, tedders and other similar agricultural equipment and accessories therefor; construction equipment consisting of bulldozers, road scrapers, tractors, compressors, pneumatic tools and similar equipment and accessories therefor; but excluding motor vehicles designed for highway use.
- v) Stamp and Coin Dealers covering property of philatelic and numismatic nature.
- vi) Jewelers' Block Policies.
- vii) Fine Arts Dealers.

B) Such policies may include coverage of money in locked safes or vaults on the Assured's premises. Such policies also may include coverage of furniture, fixtures, tools, machinery, patterns, molds, dies and tenant insureds interest in improvements of buildings.

20) Wool Growers Floaters.

21) Domestic Bulk Liquids Policies, covering tanks and domestic bulk liquids stored therein.

22) Difference in Conditions Coverage excluding fire and extended coverage perils.

23) Electronic Data Processing Policies.

(Source: Amended at 8 Ill. Reg. 12222, effective July 13, 1984)

#### **101.40 Coverage not Permitted**

Unless otherwise permitted, nothing in the foregoing shall be construed to permit Marine or Transportation Policies to Cover:

- a) Storage of Assured's merchandise, except as hereinbefore provided.
- b) Merchandise in course of manufacture, the property of and on the premises of the manufacturer.
- c) Furniture and fixtures and improvements and betterments to buildings.
- d) Monies and/or securities in safes, vaults, safety deposit vaults, bank or Assured's premises, except while in course of transportation.

(Source: Amended at 8 Ill. Reg. 12222, effective July 13, 1984)